

REMARKS

Claims 1-4, 6, 7, and 12-15 are in the application.

As a result of the foregoing amendment, the subject matter of claim 5 has been included in claim 1. In addition, claim 7 has been written in independent form. Accordingly, the independent claims created as a result of this amendment are directed to an embodiment in the invention in which the agent contains additional active ingredients and to the embodiment in which the agent is present in a particular physical form.

Applicant respectfully submits that the claims as they are now set forth in the application are clearly patentably distinct over the reference to Young et al.

The reference to Young et al. discloses the alginates merely as a shielding. The reference nowhere mentions that the layer of alginates may contain additional materials.

With respect to the arguments presented by the Examiner, applicant respectfully submits that aluminum or calcium ions do not constitute "active ingredients", but rather are part of the alginate layer (alginate = set of alginate acid with a metal ion, for example, calcium or aluminum); also, when considering the

description disclosed by the reference, it is submitted that those skilled in the art would not be listing calcium or aluminum as active ingredients.

Accordingly, it is submitted that this embodiment of the present invention is not anticipated by the reference to Young et al.

In claim 1, the agent is composed of an anionic polymer. Claim 7 as amended, on the other hand, refers to the physical shape in which the agent is present. The reference to Young et al discloses an alginate used as a shielding for something else. Claim 7 as amended in the present application, on the other hand, discloses an agent which is composed exclusively of alginate; consequently, a capsule of the agent according to the present invention will include a capsule of the agent, i.e., the anionic polymer surrounded by something else (similar to the coated tablets). However, the tablets, granulates or powder consist entirely of the agent. This is clear to those skilled in the art.

Accordingly, it is submitted that the second embodiment of the present invention as disclosed in claim 7 is also not anticipated by the reference.

With respect to the rejection of claims 14 and 15 under 35

U.S.C. 101, the Examiner will note that these claims have been amended to set forth a definite positive step as required by U.S. Patent Law.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on March 23, 2007.

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Date: March 23, 2007